

TAYLOR & PATCHEN, LLP

August 21, 2017

Honorable Jacqueline Scott Corley
United States District Court
Northern District of California
450 Golden Gate Avenue
Courtroom F - 15th Floor
San Francisco, CA 94102

Re: *Waymo LLC v. Uber Technologies, Inc., et al*, Case No. 3:17-cv-00939-WHA
Lior Ron's Unopposed Request for Leave to Move for Reconsideration of Dkt. 1287

Dear Judge Corley:

We write to ask for leave to file, if necessary, a motion for reconsideration of the Court's August 21, 2017 Order denying the stipulated request to take Mr. Lior Ron's deposition after August 24, 2017. (Dkt. 1287). We raised this issue with counsel for the parties and the Special Master on a telephone call at 2 PM today, and the parties confirmed that they have no objection to this request.

The Court granted the stipulated request as to Mr. Kalanick because he had "already been deposed once." (Dkt. 1287 at 1:18). But the Court denied the stipulated request as to "Mr. Lior [sic] . . . as much of [his] deposition[] can be completed without the Stroz Report and [he is an] important witness." *Id.*

We are concerned that the Court, in denying the stipulated request as to Mr. Ron, may not have been aware that Mr. Ron—like Mr. Kalanick—has already given a full deposition in this matter. In particular, Mr. Ron was deposed on June 19, 2017, for a full day (9 AM to 7 PM), resulting in a deposition transcript of 309 pages in length. Mr. Ron, in other words, has "already been deposed once."

Whether a witness had already been deposed appears to have been a material consideration in the Court's decision on the stipulated request. Although Mr. Ron exercised reasonable diligence in reviewing and consenting to the stipulation over the weekend, he was unaware that the fact of a prior deposition was material to the Court's consideration. Had he been so aware, he would have included that fact in the stipulated request. Therefore, there are grounds for reconsideration here. *See* Civil L.R. 7-9(b)(1).

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Based on the foregoing, Mr. Ron respectfully requests that the Court grant leave for Mr. Ron to file a motion for reconsideration pursuant to Civil Local Rule 7-9. Alternatively, because Mr. Ron's request for reconsideration is not objected to by any party, Mr. Ron requests that the Court directly reconsider its order denying the stipulated request as to Mr. Ron.

Respectfully submitted,

/s/ Jonathan A. Patchen

Jonathan A. Patchen

cc: Counsel of record (via ECF); Special Master John Cooper